

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

2006 OCT 13 A 9:40

James K. Monroe #167435  
Full name and prison number  
of plaintiff(s)

v.

Officer L. Thomas, Sgt. Jenkins,

Sgt. Golden, Warden L. Thomas,

Warden Leon Forniss, et al

Name of person(s) who violated  
your constitutional rights.  
(List the names of all the  
persons.)

CIVIL ACTION NO. 2:06CV928-MEF  
(To be supplied by Clerk of  
U.S. District Court)

DEMAND FOR JURY TRIAL

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? YES ( ) NO (X)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? YES ( ) NO (X)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/A

Defendant(s) "

2. Court (if federal court, name the district; if state court, name the county)

3. Docket number NA
4. Name of judge to whom case was assigned NA
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) NA
6. Approximate date of filing lawsuit NA
7. Approximate date of disposition NA

II. PLACE OF PRESENT CONFINEMENT Staton Correctional Facility  
P.O. Box 56, Elmore, Alabama 36025

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED Staton Correctional Facility P.O. Box 56, Elmore, Alabama 36025

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME	ADDRESS
1. Officer Thomas. <u>L. CO. ONE</u>	P.O. Box 56, Elmore, Ala 36025
2. Sgt Jenkins	P.O. Box 56, Elmore, Ala 36025
3. Sgt Golden	P.O. Box 56, Elmore, Ala 36025
4. Warden Thomas	P.O. Box 56, Elmore, Ala 36025
5. Warden Forniss	P.O. Box 56, Elmore, Ala 36025
6. _____	_____

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 9/4/06

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: VIOLATION OF RIGHTS SECURED AND ESTABLISHED UNDER THE 8TH AND 14TH AMENDMENT, FAILURE TO PROTECT, RECKLESS DISREGARD, CALLOUS DISREGARD TO PLAINTIFF RIGHTS AS A INMATE SAFETY

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

On 9/4/06 while being housed at staton correctional facility  
in Elmore, sitting in the t.v. day room watching a program call-  
ed prison break at/about 7:30 p.m, the lights were out in the  
day room, , the only light was what was seen from the television  
during this precise time there was no officer in the day room,  
(see attached sheet of part V BRIEFLY STATEMENT OF FACTS)  
GROUND TWO: \_\_\_\_\_

SUPPORTING FACTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GROUND THREE: \_\_\_\_\_  
\_\_\_\_\_

SUPPORTING FACTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.  
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

SEE ATTACHED SHEET

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James Menee  
Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true  
and correct.

EXECUTED on Oct, 7<sup>th</sup> 2006.  
(Date)

James Menee  
Signature of plaintiff(s)

(ATTACHED SHEET OF PAGE 2 OF PARAGRAPH V STATEMENT BRIEFLY OF THE FACTS CONTINUED)

infact, there was no officer monitoring the inside of the dorm, the officer that was assigned to monitor the dorm had left his post on the inside and exited the dorm, the dorm was left unattended by any security officer. The officer that was assigned to the dorm was officer thomas whom works second team shift. While watching t.v. along with other inmates to included but not limited to Micheal Grant#152447 whom was sitting beside me, while doing so I noticed that he was suddenly being attacked by someone, so I jumped up to get out of the way because it was dark and I couldn't see what was going on, so as I tried to get up I felt something go into my back causing me to go into immediate shock, I had been stabbed in the back with a knife, also during this precise time micheal grant whom was sitting beside me had been stabbed in the neck before I was stabbed. The inmate that stabbed me and inmate grant was named Jolly #128255 was a person whom had tremendous amount of time, and was going through mental problems Andre Jolly had stabbed me in the back with a 10' knife, after he stabbed both of us he then turned on another inmate which name is vincent crim A.I.S number is unknown at this time and stabbed him also. Because there was no officers inside the dorm at the precise time of the incident and it was dark on the inside inmates had to immediately run on the outside to inform the officers where he was name Thomas that the incident had occurred on the inside in the t.v. day room. Upon being informed he then called for back up, sgt. jenkins, and C.O.I. Davis they arrived downing inmate Andre Jolly taking the knife from him putting hand cuffs on him. After this took place. I and two other inmates whom had been stabbed was taken to medical infirmary.

Since the stabbing I have suffered tremenouds physical back pain where I was struck with stab wounds in by back, also I'm experience neck, and nerve damage, great mental and emotional distress whereat I am now under psychiatric care for having nightmares in dreams, and daily thoughts of the incident I encountered described herein.

#### ATTACHED SHEET OF WHAT THE PLAINTIFF ASKTHE COURT IN RELIEF

GRANT DECLARATORY JUDGMENT- Declare that the conduct in challenge does state a claim under the 8th and 14th amendment of my federal ly protected rights for upon which relief is due to be granted. Defendants are sued in their individual and official capacities at all times relevant to this action suit was working and acting under color of state laws.

#### GRANT APPOINTMENT AND GUIDANCE OF COUNSEL

##### GRANT MONETARY DAMAGES

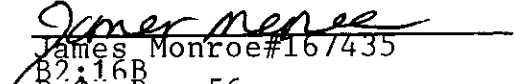
GRANT \$5,000,000.00 in compensatory damages against defendants to plaintiff. FIVE MILLION

GRANT \$5,000,000.00 in punitive damages against defendants to plaintiff. FIVE MILLION

GRANT TRIAL BY JURY

CERTIFICATE OF SERVICE

I James Monroe do hereby certify that I have this 7 day  
of OCT 2006 served this original foregoing mail upon  
the United States District Court Clerks Office for the Middle  
District of Alabama postage prepaid here at station correction-  
al institution.

  
James Monroe #167435  
B2-16B  
P.O. Box 56...  
Elmore, Alabama

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA

RECEIVED

2006 OCT 13 A 9:40

CIVIL ACTION NO. 06-1000 P. HACKETT, CLERK  
(To be supplied by U.S. District Court)  
U.S. District Court  
MIDDLE DISTRICT AREA

2:06 CV 928-MEF

DEMAND FOR JURY TRIAL

JAMES K. MONROE #167435  
Full name and prison number  
of plaintiff(s)

v. ETAL

PRISON HEALTH SERVICES,

LEVAN THOMAS, WARDEN,

NURSE WEBB, SGT. JEWKINS,

NURSE GENE LYSYKANYCZ

DR. COSIER, CAPTAIN EDWARDS  
Name of person(s) who violated  
your constitutional rights.  
(List the names of all the  
persons.)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court  
dealing with the same or similar facts involved in this  
action? YES ( ) NO (X)
- B. Have you begun other lawsuits in state or federal court  
relating to your imprisonment? YES ( ) NO (X)
- C. If your answer to A or B is yes, describe each lawsuit  
in the space below. (If there is more than one lawsuit,  
describe the additional lawsuits on another piece of  
paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) NONE

Defendant(s) II

2. Court (if federal court, name the district; if  
state court, name the county)

3. Docket number N/A
4. Name of judge to whom case was assigned \_\_\_\_\_
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit N/A
7. Approximate date of disposition N/A

II. PLACE OF PRESENT CONFINEMENT STATON CORRECTIONAL FACILITY PO BOX 56 ELMORE AL 36025

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED STATON CORRECTIONAL FACILITY

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

- | NAME                                     | ADDRESS  |
|--|--|
| 1. <u>LAV THOMAS (WARDEN)</u>            | <u>PO BOX 56 ELMORE AL 36025</u><br><u>STATON HEALTH CARE UNIT</u> |
| 2. <u>NURSE WEBB</u>                     | <u>PO BOX 56 ELMORE AL 36025</u>                                   |
| 3. <u>Sgt. JENKINS</u>                   | <u>PO BOX 56 ELMORE AL 36025</u><br><u>STATON HEALTH CARE UNIT</u> |
| 4. <u>NURSE GREGORY LYSYKANYS</u>        | <u>PO BOX 56 ELMORE AL 36025</u>                                   |
| 5. <u>DR. COBBER</u>                     | <u>STATON HEALTH CARE UNIT, PO BOX 56 ELMORE AL 36025</u>          |
| 6. <u>CAPTAIN EDWARD, WARDEN FORNISS</u> | <u>PO BOX 56 ELMORE AL 36025</u>                                   |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 9/4/06

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: DENIED PROMPT ACCESS FOR SERIOUS INJURY IN VIOLATION OF MY RIGHTS ESTABLISHED UNDER THE 8TH AND 14TH AMENDMENT



STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

ON 9/4/06 AT OR ABOUT 7:30 PM I WAS STABBED IN THE  
BACK AND ARM WITH A 10" KNIFE BY ANOTHER INMATE, AFTER  
BEING STABBED I WAS TAKEN TO THE MEDICAL DEPARTMENT WHERE  
I WAS EXAMINED BY NURSE WEBB AND LYSYKANYCZ, I WAS  
BLEEDING EXCESSIVELY, AT WHICH TIME WARDEN THOMAS, SGT JUNKINS  
WAS THERE SEE ATTACHED SHEET BRIEFLY STATE OF FACTS CONTINUED  
 GROUND TWO: DENIED, DELAYED MEDICAL TREATMENT FOR PAIN, INJURY

I INCURRED AFTER BEING STABBED IN VIOLATION OF MY 8th AND 14th  
AMENDMENT RIGHT SECURED BY THE UNITED STATE CONSTITUTION.

SUPPORTING FACTS: ON 9/5/06 I WAS CALLED TO THE HEALTH CARE

UNIT AT STATION, TO SEE SICK DOCTOR MRS. BANNERJEE, AND

WHILE WAITING TO SEE HER, I SAW NURSE HAMILTON IN THE HALL

WAY AND TOLD HER THAT I NEEDED TO SEE THE DOCTOR ABOUT MY

BACK AND SHE SAID TO ME LET ME GO LOOK INTO YOUR MEDICAL FILE  
THAT SHE WOULD BE BACK, AND WHEN SHE DID COME BACK SHE STATED TO ME THAT  
THE DOCTOR HAD ME DOWN

(SEE ATTACHED SHEET OF GROUND TO BRIEFLY STATED FACTS CONTINUED)  
 GROUND THREE:

SUPPORTING FACTS:

ATTACHED SHEET BRIEFLY STATEMENT OF FACTS WITH SUPPORTING GROUND

(1)

the nurse informed the warden that the impact of the stabb wounds from which blood was streaming tremendously she couldn't stop the bleeding that plaintiff(I)needed to be taken immediately to a freeworld hospital, the doctor was notified. The warden denied delayed me prompt access to outside hospital treatment, instead before providing outside treatment he delayed, prolonged it until a investigation was conducted regarding the stabbing incident that took some two to three hours long before he permitted for me to be taken to a freeworld hospital for treatment for my stabb wounds and tremendous bleeding.

ATTACHED SHEET BRIEFLY STATEMENT OF FACTS WITH SUPPORTING GROUND  
TWO

for x-rays but she didn't no when. I was taken to baptist south 9/4/06 and seen by the doctor here on 9/5/06 and release from the healthcare unit. about 10 days later I was called back to the doctor to have staples removed out of my back and arm, when I told doctor that I'm still in real bad pain and that the front of my right side was hurting real bad, that something had occurred regarding the stabbing that has caused my body in my neck area began to twist in deformaty, and I was experiencing migranes, and intense back pain. The doctor looked at my side felt it and said that he would call me back for x-rays, it never happened. I'm still in temendous pain, and my conditions complained about here- in is becoming worser and worser, the doctor has not done anything further. I have put in two sick calls slips complaining I still have not seen a nurse r doctor also I have filed grievances and has not heard anything as of this day.

VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU.  
MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

GRANT DECLARATORY JUDGMENT-MONETARY DAMAGES-TRIAL BY JURY

(SEE ATTACHED SHEET RELIEF SOUGHT CONTINUED)

James Meneza  
signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true  
and correct.

EXECUTED on Oct 7 2006.  
(Date)

James Meneza  
signature of plaintiff(s)

ATTACHED SHEET OF BRIEFLY STATEMENT OF RELIEF SOUGHT

GRANT DECLARATORY JUDGMENT- Declare that the conduct in challenge does give rise to claims stated under the 8th and 14th amendment for which relief could be granted and maintained.


GRANT MONETARY DAMAGES-

GRANT ONE-MILLION-DOLLARS(\$1,000,000.00)IN COMPENSATORY DAMAGES AGAINST DEFENDANTS TO PLAINTIFF.

GRANT ONE-MILLION-DOLLARS(\$1,000,000.00)IN PUNITIVE DAMAGES AGAINST DEFENDANTS TO PLAINTIFF .

CERTIFICATE OF SERVICE

I James K. Monroe do hereby certify that I have this    day of October 2006 served this original foregoing mail upon the United States District Court Clerks Office For the Middle District of Alabama by placing same in the U.S. mail postage pre-paid here at Staton Correctional Facility in Elmore, Alabama.

  
James K. Monroe  
#167435  
P.O. Box 56  
Elmore, Al 36025